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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/692,167	10/23/2003	Kulvir S. Bhogal	AUS920030860US1	1937
35525	7590	04/05/2006	EXAMINER	
IBM CORP (YA)			CHOW, JEFFREY J	
C/O YEE & ASSOCIATES PC				
P.O. BOX 802333			ART UNIT	
DALLAS, TX 75380			PAPER NUMBER	
			2628	

DATE MAILED: 04/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/692,167	<b>Applicant(s)</b> BHOGAL, KULVIR S.	
	<b>Examiner</b> Jeffrey J. Chow	<b>Art Unit</b> 2628	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) ☒ Responsive to communication(s) filed on 23 January 2006.

2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) ☒ Claim(s) 1,4-8,10-14 and 16-23 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.

6) ☒ Claim(s) 1,4-8,10-14 and 16-23 is/are rejected.

7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.

8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All    b) ☐ Some \*    c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_

4) ☐ Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

Claims 1,4-8,10-14, and 16-23 are presented for examination. Claims 2,3,9, and 15 have been cancelled and claims 20-24 have been added by the amendment filed on 5-25-2005. This office action is in response to the amendment filed on 23 January 2006.

***Response to Arguments/Amendments***

Applicant's arguments, see page 15 – 19 of Appeal Brief, filed 23 January 2006, with respect to claims 6, 10, 13, 16, and 19 – 24 have been fully considered and are persuasive. The rejection of claims 6, 10, 13, 16, and 19 – 24 has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Ranganathan.

Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Regarding claim 1, applicant argued that the cited reference (Gaughan) does not disclose “altering a display intensity of a region of a screen and , responsive to a first region being redefined, altering the display intensity of the screen within a redefined region.” (See Appeal Brief p. 11) Specifically, applicant pointed out that Gaughan does not anticipate claim 1, as illuminating of Gaughan is not the same as changing the intensity of the display in a region, as claimed. However, in an analogous art, illuminating/highlighting of the display is adjusted by varying the intensity of light illuminating each display area of the display device [i.e. intensity level of brightness value of display]. Therefore, applicant's arguments and amendments do not overcome the previous rejections, as broadly claimed by applicant. (See “Pixel Color and Intensity, Color Depth and the Color Palette”, first paragraph).

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 4, 5, 7, 8, 11, 12, 14, 17, and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Gaughan et al. (US 5,589,893)

Regarding claim 1, Gaughan et al discloses that the claimed feature of a computer implemented method for selectively increasing a display intensity of at least one region of a screen, the method comprising: responsive to identifying [i.e. “accessed by cursor” 56] a first region [i.e. ‘one of control function are’, ‘one of screen areas’; 58,60,62,64] on the screen, altering [i.e. “illuminated”, “highlighted”] the display intensity of the screen within the first region, wherein, after the display intensity of the first region is altered, the display intensity of the screen within the first region is greater than the display intensity of other regions portions of the screen; determining whether the first region has been redefined [‘by cursor movement’] to form a redefined region; and responsive to the first region being redefined, [i.e. ‘another screen areas’] , altering [i.e. “illuminated”, “highlighted”] the display intensity of the screen within the redefined region, wherein the display intensity of the screen within the redefined region is

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greater than the display intensity of other regions of the screen. (See Fig 4, Fig 9, Abstract line 11-17, col 4 line 40-col 6 line 6)

Regarding claim 4, Gaughan et al discloses that determining whether a new window [i.e. “window area”] has become the active window, wherein the new window becoming the active window results in the first region being redefined to form the redefined region. (See Fig 4, Fig 9, col 5 line 27-col 6 line 6)

Regarding claim 5, Gaughan et al discloses that the first regions has a shape selected from one of a circle, a square, or a rectangle. (See ‘rectangle shape’ in Fig 4)

Regarding claims 7 – 8, claims 7 – 8 are similar in scope to the claim 1, and thus the rejection to claim 1 hereinabove is also applicable to claims 7 – 8.

Regarding claims 11 and 12, claims 11 and 12 are similar in scope to the claims 4 and 5, and thus the rejections to claims 4 and 5 hereinabove are also applicable to claims 11 and 12.

Regarding claims 14, 17, and 18, claims 14, 17, and 18 are similar in scope to the claims 1, 4, and 5, and thus the rejections to claims 1, 4, and 5 hereinabove are also applicable to claims 14, 17, and 18.

Claims 1 – 24 are rejected under 35 U.S.C. 102(e) as being anticipated by Ranganathan et al. (US 2003/0135288).

Regarding independent claim 7, Ranganathan discloses a bus system, a CPU 402, memory 410, and a User Interface 408 (Figure 4), which reads on the claimed bus system, the claimed communications unit connected to the bus system, the claimed memory connected to the bus system, wherein the memory includes a set of instructions, and the claimed processing unit

connected to the bus system, in which the processing unit executes the set of instructions.

Ranganathan also discloses the energy-aware software control of individual portions of the display that can be used in several different ways, where higher importance to the user may be highlighted (e.g., brightly lit and as a result consuming higher power) while the areas of the screen that the user is not concerned about can be turned off, dimly illuminated or modified in some way to consume lower power (paragraph 12), which reads on the claimed responsive to identifying a first region on the screen, alter the display intensity of the screen within the first region, wherein, after the display intensity of the first region is altered, the display intensity of the screen within the first region is greater than the display intensity of other regions of the screen. Ranganathan further discloses the user being able to select (or point to) the area of focus to be highlighted (by the energy-aware software control) where the user can do so by using a “stick-lamp” icon to highlight (‘light-up’) specific portions of the screen and a turning on a headlight on the mouse (or an equivalent pointing device), where the light could be pointed at or over the screen area (or text) of focus to be highlighted, the light could be moved down as the user reads along (paragraph 62), which reads on the claimed determine whether the first region has been redefined to form a redefined region and the claimed alter the display intensity of the screen within the redefined region, in response to the first region being redefined, wherein the display intensity of the screen within the redefined region is greater than the display intensity of other regions of the screen.

Regarding independent claim 1, 8, and 14, claims 1, 8, and 14 are similar in scope to claim 7, and thus the rejections for claim 7 hereinabove are applicable to claims 1, 8, and 14.

Regarding dependent claim 11, Ranganathan discloses the display parameters that are used to highlight the window of focus are different and consume more energy relative to the other windows in the remaining areas of the screen (paragraph 47) and where the user have their window of focus highlighted relative to the other windows (paragraph 49), which reads on the claimed second determining means for determining whether a new window has become the active window, wherein when the new window becomes the active window, the first region is redefined to form the redefined region.

Regarding dependent claim 4 and 17, claims 4 and 17 are similar in scope to claim 11, and thus the rejections for claim 11 hereinabove are applicable to claims 4 and 17.

Regarding dependent claim 12, Ranganathan discloses a rectangular highlighted window (Figure 1B) and a circular highlight region (Figure 2B) and it notoriously well known in the art that windows can be substantially be formed as a square shape, which reads on the claimed first region has a shape selected from one of a circle, a square, or a rectangle.

Regarding dependent claim 5 and 18, claims 5 and 18 are similar in scope to claim 12, and thus the rejections for claim 12 hereinabove are applicable to claims 5 and 18.

Regarding dependent claim 13, Ranganathan discloses portions of the screen other than the window of focus (for example, cutting and pasting text from one window to another) (paragraph 49) and a turning on a headlight on the mouse (or an equivalent pointing device), where the light could be pointed at or over the screen area (or text) of focus to be highlighted, the light could be moved down as the user reads along (paragraph 62) and examiner takes official notice that it is well known in the art that a cursor can change into an I-bar when the cursor is in a text area (such as a Microsoft<sup>TM</sup> Word<sup>TM</sup> software or Wordpad<sup>TM</sup>), which reads on the claimed

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first region is defined by a number of lines above and below an I-bar in a document displayed on the screen.

Regarding dependent claim 6 and 19, claims 6 and 19 are similar in scope to claim 13, and thus the rejections for claim 13 hereinabove are applicable to claims 6 and 19.

Regarding dependent claim 10, Raṅganathan discloses a turning on a headlight on the mouse (or an equivalent pointing device), where the light could be pointed at or over the screen area (or text) of focus to be highlighted, the light could be moved down as the user reads along (paragraph 62), which reads on the claimed second determining means for determining whether the pointer has moved to a new location on the screen, wherein movement of the pointer to the new location results in movement of the first region to the new location to form the redefined region.

Regarding dependent claim 16, claim 16 is similar in scope to claim 10, and thus the rejections for claim 10 hereinabove is applicable to claims 16.

Regarding dependent claim 21, Ranganathan discloses the user being able to select (or point to) the area of focus to be highlighted (by the energy-aware software control) where the use can do so by using a “stick-lamp” icon to highlight (‘light-up’) specific portions of the screen and a turning on a headlight on the mouse (or an equivalent pointing device), where the light could be pointed at or over the screen area (or text) of focus to be highlighted, the light could be moved down as the user reads along and where the pointing device controls the pointing device (paragraph 62), which reads on the claimed first region is a user-defined region.

Regarding dependent claims 20, 22, and 23, claims 20, 22, and 23 are similar in scope to claim 21, and thus the rejections for claim 21 hereinabove is applicable to claims 20, 22, and 23.



Regarding dependent claim 24, Ranganathan discloses the screen area (or window) of focus is brightly lit, changed in color or set at a different gray-scale level (and consumer higher power) while the remaining screen areas can be turned off, dimly illuminated, etc. (to consume lower power), which reads on the claimed wherein a color within the first region remains unchanged when the display intensity of the screen within the first region is altered and wherein the color within the redefined region remains unchanged when the display intensity of the screen within the redefined region is altered.

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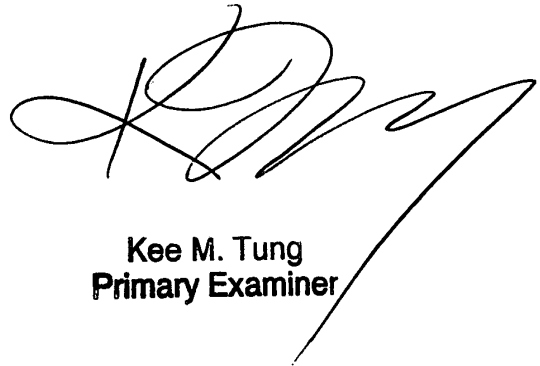
***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey J. Chow whose telephone number is (571)272-8078. The examiner can normally be reached on Monday - Friday 10:00AM - 5:00PM (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ulka Chauhan can be reached on (571)-272-7782. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JC



**Kee M. Tung**  
**Primary Examiner**